

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

**INTERNATIONAL UNION, UNITED
AUTOMOBILE, AEROSPACE, AND
AGRICULTURAL IMPLEMENT
WORKERS OF AMERICA; and BOBBY
HARDWICK, WALTER BERRY,
RAYMOND J. MITCHELL, FAY
BARKLEY, ARLEN BANKS, YVONNE
HICKS, and BRUCE CARRIER on behalf of
themselves and all other persons similarly
situated,**

Plaintiffs,

v.

FORD MOTOR COMPANY,

Defendant.

Case No. 2:07-cv-14845
Judge Robert H. Cleland

CLASS ACTION

ORDER PROVISIONALLY ACCEPTING AMENDED CLASS DEFINITION

Having reviewed and considered the Motion to Amend Class Definition submitted by plaintiffs Bobby Hardwick, Walter Berry, Raymond J. Mitchell, Fay Barkley, Arlen Banks, Yvonne Hicks, and Bruce Carrier (“Class Representatives”), and having previously concluded that the Class Representatives’ prior motion for class certification satisfied all requirements of Fed.R.Civ.P. 23 (see Dkt. #30), and also having reviewed the parties’ joint Motion For Preliminary Approval Of Amendments To The Class Action Settlement Agreement (“Preliminary Approval Motion”) filed this date, the court hereby provisionally amends the definition of the previously certified class for purposes of issuing class notice of proposed

settlement amendments, as follows:¹

All persons who are:

- (i) Ford-UAW Represented Employees who had attained seniority as of November 19, 2007, and who as of August 15, 2009, were retired from Ford with eligibility for Retiree Medical Benefits under the Ford Retiree Health Plan, and their eligible spouses, surviving spouses and dependents;
- (ii) surviving spouses and dependents of any Ford-UAW Represented Employees who attained seniority as of November 19, 2007 and died prior to August 15, 2009 (under circumstances where such employee's surviving spouse and/or dependents are eligible to receive Retiree Medical Benefits from Ford and/or under the Ford Retiree Health Plan);
- (iii) former Ford-UAW Represented Employees or UAW-represented employees who had attained seniority as of November 19, 2007 and who, as of August 15, 2009, were retired from any previously sold, closed, divested or spun-off Ford business unit with eligibility to receive Retiree Medical Benefits from Ford and/or the Ford Retiree Health Plan by virtue of any agreement(s) between Ford and the UAW, and their eligible spouses, surviving spouses, and dependents; and
- (iv) surviving spouses and dependents of any former Ford-UAW Represented Employee or UAW-represented employee of a previously sold, closed, divested or spun-off Ford business unit, who attained seniority as of November 19, 2007, and died on or prior to August 15, 2009 under circumstances where such employee's surviving spouse and/or dependents are eligible to receive Retiree Medical Benefits from Ford and/or the Ford Retiree Health Plan.

At this stage, the court's decision granting of the Motion to Amend Class Definition is solely for the purpose of facilitating notice to all members of the newly defined class, and giving all such members the opportunity to object and to appear at the final fairness hearing. Final ruling on the Motion to Amend Class Definition will depend on the court's ruling on the fairness of the proposed settlement amendments and will follow the final fairness hearing.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: August 6, 2009

¹ All capitalized defined terms have the same meaning as in the exhibits to the Preliminary Approval Motion.

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, August 6, 2009, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
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